

**New Shoreham Town Council Minutes**  
**Town Hall, Old Town Road, Block Island**  
**January 2, 2013**  
**4:00 p.m.**

Present: First Warden Kimberley H. Gaffett, Second Warden Kenneth C. Lacoste, Town Councilor Sean McGarry, Town Councilor Norris Pike, Town Councilor Christopher Warfel. Also present was Town Manager Nancy O. Dodge. Town Clerk Fiona Fitzpatrick was present to take the minutes of the meeting.

First Warden Kimberley H. Gaffett called the work session meeting to order at 4:00 p.m.

**1. Report of the Town Manager**

**a. Review background and role of consultants Richard La Capra and Wally MacDonald**

Town Manager Dodge circulated Mr. La Capra's resume and discussed the roles that Mr. La Capra, Mr. MacDonald, Everett Shorey and Alan Mandl have taken with the Town. Wally MacDonald is a cable specialist who worked on Vinalhaven electric/data cable and has consulted with the Town with regard to the Deepwater cable. He continues to advise the Town regarding cable issues such as interface with data carriers. Mr. La Capra has consulted with the Town on energy matters for many years. He also negotiated for the Town with Mr. Mandl to create the five-year plan (expiring now) with Interstate Navigation that precluded new rate cases for its duration. Attorney Mandl has been the Town's counsel for RI PUC matters, a narrow specialty in Rhode Island. Everett Shorey has consulted pro bono for the Town regarding regulatory issues with the Block Island Power Company (BIPCo) and Interstate Navigation, frequently in coordination with Mr. La Capra and Mr. Mandl.

This year the Town's attorney Katherine Merolla will be taking a leadership role with PUC regulatory issues including Interstate's new rate case and BIPCo's application for financing. Mr. Mandl will be available to assist and Mr. Shorey is also willing to continue his role.

Mr. Shorey and Mr. La Capra will be at the Town Council meeting January 7.

Discussion ensued: Councilor Warfel said the Town has to decide what we want with regard to the regulation of the monopolies. It was noted that the PUC represents the public and they see the Town and its residents as small parts of that constituency. However Interstate provides a lifeline for residents quite different from their services for mainland visitors.

Interstate Navigation representing the Block Island Express sent a \$25,000 check, Interstate Navigation has not yet remitted landing fees for the year ending December 31.

**b. Update of FEMA claims and road repairs**

The Town Manager reported that she has been in contact with the RI Department of Transportation and sent photographs to the of the storm damage to the Corn Neck Road repairs in the area in front of the Beachhead restaurant. Repairs to the road from Hurricane Sandy were completed with ocean side riprap and a narrow dune constructed and planted with rugosa roses, but the waves ran over the new berm and onto the street in a subsequent nor'easter. Discussion ensued regarding repairs to Corn Neck Road. The Town Manager will get permission to build up the Corn Neck Road dune or get Northern Construction to return. The Town has permission to use the bait dock dredging spoils to nourish the beach along Corn Neck Road.

Second Warden Lacoste asked for an engineering review of whether building up the town beach has caused wave energy to focus on adjacent beaches. Councilor Pike said he thought the loss of 50 feet of the Army Corps breakwater is a factor. Suggestion to place huge boulders or concrete barriers 30 feet off the beach in the problem area to dissipate the energy of the waves. Suggestion to put large rocks at the base of the rip rap. The CRMC has been studying the effect of sea level rise and may have developed mitigation plans.

An insurance payment of \$99,780 (75%) has been received for replacement of the bait dock, the balance to be paid on completion. Dredging (166 cubic yards) is estimated to cost \$168,000 and needs to be done by January 31 in accordance with CRMC guidelines. The cost will be covered

by the Town's insurer but the funds have not been received yet. The beach pavilion roof will be replaced with a \$40,000 insurance payment.

Spring Street repairs held up but water is running up the bank and pooling on the road; Highways Superintendent Mike Shea and engineer Jim Geremia spoke with the Town Manager who passed along concerns to DOT. A culvert may be needed. Other concerns: erosion under the monument at the beach; erosion under the Ocean Avenue sidewalk close to the culvert to Harbor Pond near Connecticut Avenue.

The Town Manager said Mike Shea reported catch basins are open but there is clogging in the laterals, possibly due to storm infiltration. Briggs will come up with an estimate to open the laterals.

The Newport Collaborative will be invited to the next work session to discuss design alternatives for the beach pavilion.

**c. Review schedule and plans of hunting on Town, State and Federal lands**

Town Manager Dodge circulated the hunting information, attached to these minutes, which will be posted and advertised.

Councilor McGarry said he hoped that the Deer Task Force would come up with a list of legislative changes required take action to drastically reduce of the deer herd. Councilor Pike suggested a \$50 bounty per deer.

**d. Discuss Sands Pond re: Chris Warfel's letter dated December 26, 2012**

Mr. Warfel's letter is attached to these minutes. The Town does not own Sands Pond. One theory discussed is that the natural flow away from Sands Pond may have been interrupted, causing the pond and its basin to gradually increased in volume. The recommendation of the former Water Superintendent was to redesign the intake structure at Sands Pond and move it up during a period of low water. Discussion ensued. Information was circulated and the issue will be taken up at the next Town Council work session.

**e. Report of current Public Works and Administration issues**

- Discussion of recent sewer leak into the Great Salt Pond, estimated at less than 1,000 gallons. The Pond is closed to shellfishing. Sewer Superintendent Chris Blane will see if the bid to TV the sewer lines still holds, the work needs to be done.
- Gray water system cover on south side of Town beach is cracked and needs replacement

**1. Discuss and act on new Town Council orientation:**

**a. Town Council email**

Michele Spero is available for troubleshooting email. Town Council accounts will be renamed using names rather than numbers. Wireless internet will be available in the meeting hall.

**b. Projection of documents at meetings**

A test run will take place at the interim January meeting. Discussion of options for image projection.

**2. Discuss Town Council guidelines for upcoming Town employees contract and Police contract negotiations – This item may be held in closed session pursuant to RIGL 42-46-5(a)(2) for discussions of collective bargaining**

- Discussion of existing benefits and premium coshare of \$304 for single benefits and \$708 for family plans. At the request of the employees association, the Town distributed a 57 cent per hour offset to all employees, rather than a having a sliding scale for premium coshare of 3, 4 and 5% based on wages. The across the board offset had the effect of giving the lower paid employees a higher proportional offset.
- Discussion of increase employee contribution over time, possibly over three year period.
- Discussion of performance based wage increases vs. across the board.

A motion to enter closed session pursuant to RIGL 42-46-5(a)(2) for discussions of collective bargaining was made by Mr. Lacoste and seconded by Mr. McGarry.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel) Nays: 0

At 7:15 a motion to move out of closed session was made by Ms. Gaffett and seconded by Mr. Lacoste.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel) Nays: 0

First Warden Gaffett reported no motions were made in the closed session meeting.

At 7:16 a motion to adjourn was made by Ms. Gaffett and seconded by Mr. Warfel.

Ayes: 5 (Gaffett, Lacoste, McGarry, Pike, Warfel) Nays: 0

Minutes approved January 16, 2013

Fiona Fitzpatrick, Town Clerk